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1 - Baton Rouge refinery did not disclose accident, inspect corroded pipes: uncensored EPA report

New Orleans Times-Picayune, 2/21/2012

http://www.nola.com/environment/index.ssf/2013/02/exxonmobil_baton_rouge_refiner.html

ExxonMobil's Baton Rouge Refinery failed to inspect hundreds of corroded pipes and report several incidents in the last five years, according to an uncensored EPA inspection report recently obtained by a local environmental group. The July inspection was spurred by a significant leak of a highly carcinogenic chemical in June. The Louisiana Bucket Brigade, a New Orleans-based environmental advocacy group, obtained the uncensored report in February from the Environmental Protection Agency, or EPA.

2 - EPA report EPA working to make public aware of radon risk in homes

Dallas Morning News, 2/21/2012

<http://www.wfaa.com/news/consumer/EPA-working-to-make-public-aware-of-radon-risk-in-homes-192420271.html#>

When she first settled into her Dallas home six years ago, Kimberly Stokes asked if she should test for radon. She said she was told she didn't need to worry about it. That's a starkly different answer than the one you get from the Environmental Protection Agency (EPA), which estimates that radon kills as many as 20,000 Americans each year through lung cancer.

3 - EPA Looks Into Gardendale Odor Complaints

CBS 7 West Texas, 2/21/2012

<http://www.cbs7kosa.com/news/details.asp?ID=42059>

The smells coming from oil and gas production has many Gardendale residents speaking out to the Texas Commission on Environmental Quality. Now the Environmental Protection Agency has stepped in to see what they can do about the complaints. "You can't step outside without being assaulted by an obnoxious odor that turns your stomach or that odor is inside your home. You can't seem to get rid of it," said President of the Gardendale Accountability Project Dan Boggs.

4 - Father of environmental justice movement to speak at UT

Austin American-Statesman, 2/21/2012

<http://www.statesman.com/news/news/father-of-environmental-justice-movement-to-speak-/nWWnr/>

Decades ago, Austin officials planned for power plants, landfills and other industrial sites to be built in poorer neighborhoods of color. Trails and big parks were long built on the wealthier, whiter side. Austin is not alone in a history of racial and class disparities when it comes to pollution and environmental amenities. Friday night, the man credited with starting the environmental justice movement, which draws attention to such disparities and works to right them, will give a free, public talk at the University of Texas.

5 - U.S. Gulf Coast oil spillers about to face day in court

Reuters, 2/22/2012

<http://www.reuters.com/article/2013/02/22/us-bp-spill-idUSBRE91K1CJ20130222>

Nearly three years after a deepwater well rupture killed 11 men, sank a rig and spewed 4 million barrels of oil into the Gulf of Mexico, BP and the other companies involved are scheduled to face their judge in court. The trial over the worst U.S. offshore oil spill is set to start Monday in New Orleans before a federal judge and without a jury. Few expect the case, seen lasting several months, will be decided by the judge.

6 - Inspector General Says EPA Must Improve Air Emissions Data From Oil, Gas Sector

BNA Daily Environment Report, 2/22/2012

http://esweb.bna.com/eslw/1245/split_display.adp?fedfid=29775748&vname=denotallissues&jd=a0d6p5r8m9&splitt=0

The Environmental Protection Agency must improve its air emissions data from the fast-growing oil and natural gas sector, the agency's inspector general said in a report released Feb. 21. "High levels of growth in the oil and natural gas ... production sector, coupled with harmful pollutants emitted, have underscored the need for EPA to gain a better understanding of emissions and potential risks from the production of oil and gas," the report said. "However, EPA has limited directly-measured air emissions data for air toxics and criteria pollutants for several important oil and gas production processes and sources, including well completions and evaporative ponds."

7 - EPA figures on air emissions from oil, gas production are unreliable, agency's inspector general says

Dallas Morning News, 2/21/2012

<http://thescoopblog.dallasnews.com/2013/02/epa-figures-on-air-emissions-from-oil-gas-production-are-unreliable-agencys-inspector-general-says.html/>

The Environmental Protection Agency's internal watchdog says in a report dated Wednesday that information on air emissions from oil and natural gas operations nationwide is so sketchy that it's hard for anyone to say for sure what's going on. If anything, the report says, the EPA might be underestimating the emissions.

8 - PNM, New Mexico, EPA Settle Coal-Fired San Juan NOx Technology Dispute

Power News, 2/21/2012

http://www.powermag.com/POWERnews/PNM-New-Mexico-EPA-Settle-Coal-Fired-San-Juan-NOx-Technology-Dispute_5398.html

An agreement reached on Friday between PNM, New Mexico's largest electricity provider, the New Mexico Environment Department (NMED), and the U.S. Environmental Protection Agency (EPA) calls for the retirement of two units at the 1,800-MW coal-fired San Juan Generating Station by 2017 to comply with federal visibility rules. The remaining two units will be retrofitted with selective noncatalytic reduction technology by 2016, a nitrogen-oxide reducing technology.

9 - Waste from leaking single-shell tank at Hanford could be sent to New Mexico

Tri-City Herald, 2/22/2012

<http://www.tri-cityherald.com/2013/02/22/2284632/waste-from-leaking-single-shell.html>

Radioactive waste from the newly discovered leaking tank at Hanford could be shipped to New Mexico by the Department of Energy, rather than treated at the vitrification plant. That's one solution for Tank T-111 that may be discussed today when Washington Gov. Jay Inslee meets with Energy Secretary Steven Chu in Washington, D.C. After touring Hanford on Tuesday, Sen. Ron Wyden, D-Ore., said one possibility DOE mentioned is to send waste from some tanks, including T-111, to the Waste Isolation Pilot Plant, or WIPP, in the Chihuahuan Desert outside Carlsbad, N.M. It is a national repository for "transuranic" waste -- waste contaminated with plutonium.

10 - Pryor Chemical under investigation

The Pryor Creek Times, 2/21/2012

<http://pryordailytimes.com/local/x564658726/Pryor-Chemical-under-investigation>

Pryor Chemical in MidAmerica Industrial Park is under investigation by the ODEQ and EPA. A search warrant was issued, Wednesday by the Oklahoma Department of Environmental Quality. David Shear, a representative of LSB Industry, the parent company of Pryor Chemical, explained the situation. "This is being referred to simply as our quarterly report. We have been tracking this particular incident for several quarters now," said Shear.

11 - DEQ reissues permit for Small Municipal Separate Storm Sewer Systems

New Orleans Times-Picayune, 2/21/2012

http://blog.nola.com/nola_river_baton_rouge_news/print.html?entry=/2013/02/deq_reissues_permit_for_small.html

The general permit for Small Municipal Separate Storm Sewer System is being reissued with an effective March 1, the Louisiana Department of Environmental Quality said Thursday. Coverage under this general permit applies to operators in parishes, cities, towns and military bases of storm water drainage systems that typically serve populations between 10,000 and 150,000 persons.

12 - Choctaw Landfill: Please don't call it a dump

The Daily News, 2/22/2012

http://www.gobogalusa.com/news/article_62c86c92-7c6b-11e2-8555-0019bb2963f4.html

Keep Washington Parish Beautiful is a joint venture between the city of Bogalusa and Washington Parish, with its goal to "clean up our streets, get litter and everything off the streets, make our city shine and just keep it clean," said Landon Tims, director of Recreation and Culture and the self-proclaimed frontman for the organization representing the city of Bogalusa. The city is preparing to be involved with the KWPB project to clean up the city and the parish during the month of March.



Everything New Orleans

ExxonMobil Baton Rouge refinery did not disclose accident, inspect corroded pipes: uncensored EPA report



By [Lauren McGaughey, NOLA.com|The Times Picayune](#)

on February 21, 2013 at 11:30 AM, updated February 21, 2013 at 3:59 PM

ExxonMobil "failed to follow their own operating procedures, recommended operating procedures, and maintenance operating procedures." - EPA report

ExxonMobil's [Baton Rouge](#) Refinery failed to inspect hundreds of corroded pipes and report several incidents in the last five years, according to an uncensored EPA inspection report recently obtained by a local environmental group. The July inspection was spurred by a [significant leak](#) of a highly carcinogenic chemical in June.

The [Louisiana Bucket Brigade](#), a New Orleans-based environmental advocacy group, obtained the uncensored report in February from the Environmental Protection Agency, or EPA. The uncensored report, which can be [read here in its entirety](#), was then provided to [NOLA.com|The Times-Picayune](#).

The report detailed the findings of a July EPA inspection of the ExxonMobil Baton Rouge Refinery, which was spurred by a [June leak](#) of more than 31,000 pounds of the cancer-causing chemical benzene, short-term exposure to which causes breathing problems, headaches and tremors.

The most serious findings of the report include:

- Extensive pipe corrosion and out-of-date inspections
- Failure to report accidents and deficiencies
- Inadequate emergency procedures and inadequate staffing for emergency situations
- Failure to follow best practices and operating procedures

A [heavily redacted version](#) of the same inspection report was released to the Brigade in December. At the time, ExxonMobil officials said the report was censored to protect the company's confidential business practices.

"The portions of the report that were redacted protect the confidential business information that allows us to operate a safe business," ExxonMobil Public Affairs Officer Jennifer Hughes said in a Jan. 14 email.

However, nearly all of the information censored from the original report dealt solely with community and

worker safety issues and accident reports.

Unsatisfied with the redacted version, the Brigade made a request under the federal Freedom of Information Act for the uncensored report, which was granted and released Feb. 6.

ExxonMobil denied responsibility for the redacted information in an email statement Thursday, Feb. 21, saying EPA authored the report and chose which portions to censor under confidential business information (CBI) rules.

PIPING CORROSION

The uncensored report revealed the refinery, referred to as BRRF, "did not inspect over 1,000 underground pipes with liquid and gas flammables and a variety of hazardous chemicals" in the last five years.

Pictures taken by EPA inspectors in July also showed serious corrosion of under- and aboveground piping and valves, one section of which was "wrapped in garbage bags and secured with duct tape." Other pictures highlighted "significant corrosion and scaling" of pipes as well as metal entirely sloughed off the bottom of a pipe believed to be conducting high-pressure hydrogen.

As of the July 2012 inspection, EPA said 249 underground piping inspections were out of date. While ExxonMobil has spent \$20 million repairing the pipes since 2006, the company still has not cited any mechanical integrity problems in the most recent audit, according to the report.

Lana Sonnier Venable, a member of ExxonMobil Baton Rouge's public affairs team, said descriptions of the piping as "heavily corroded" were incorrect.

"Regarding piping and the photo you reference, your description is inaccurate. All piping components are secured and maintained to industry standards," Venable said in an email sent Thursday morning. She added the \$20 million pipe repair project was 90 percent complete.

ACCIDENT REPORTING

In the last five years, the refinery reported no accidents, according to the report. However, the company investigated and reported eight incidents in its latest risk management plan (RMP). EPA added its lead inspector additionally became "aware of many other incidents that were not reported as RMP incidents but were investigated."

One incident in particular, in which nine people were sent to the hospital due to carbon monoxide exposure in May 2009, should have been reported to EPA but was not.

The event "should have been reported as a catastrophic release from a covered process because nine people were transported to the local hospital," for injury or illness, the report said.

According to ExxonMobil, workers were sent to the hospital solely as "a precaution." "All test results showed no health impacts as a result of this incident," Public Affairs Manager Stephanie Cargile said in a Dec. 20 email.

Venable, in her Thursday email, didn't remark on the lack of reporting of the incident, only saying it was investigated "consistent with our processes and the applicable regulatory requirements."

EMERGENCY PROCEDURES

The report noted the refinery did not adequately address worker safety in their emergency procedures, especially around their hydrocracking unit, referred to as HCLA.

"BRRF has failed to address concerns with exposure of non-essential personnel in the HCLA area during startup operations," the report noted, "which could result in the escalation of an incident including personnel injury."

The report added workers could not rely on emergency and shutdown procedures provided at the refinery because "the level of detail" to complete needed tasks was insufficient.

"This could lead to confusion and the inability to complete the procedure, especially in an emergency situation," the report said, adding there were not sufficient numbers of emergency workers to implement emergency procedures.

BEST PRACTICES

Overall, the report highlighted the refinery's general failure to follow either their own best practices or those of state or federal agencies.

"BRRF failed to follow their own operating procedures, recommended operating procedures, and maintenance operating procedures," the uncensored version of the EPA inspection stated.

In response, ExxonMobil said it had "reviewed the findings from the inspection with EPA to fully understand each allegation."

We "are sharing additional information which we believe may resolve many of the areas of concern identified in the report. Where we can't reach agreement, we will follow EPA's dispute process," Venable said Thursday.

She added: "Safety is a core value for our company, and we have continuously improved our safety performance over the past five years. Nothing is more important than the safety and health of our employees, our contractors and the people who live and work around our operations."

ExxonMobil did not respond to specific questions regarding the facility's best practices or emergency procedures mentioned in the report by press time.

The finding's of the report come as the facility is requesting [permission to perform several expansion projects](#) at its Baton Rouge facility, which also houses a chemical plant as well as the refinery, which is the nation's second largest.

Due to several factors, the Louisiana Department of Environmental Quality decided to open up the decision on the expansion projects to the public. They will [hold a public hearing](#) on March 12, 2013 at 6:00 p.m. at in the Natchez Room at 602 N. Fifth Street (Galvez Building) in Baton Rouge.

Bucket Brigade staff welcomed the hearing, especially after the inspection findings, which founding director Anne Rolfes called "the perfect example of the oil industry in Louisiana: they operate on the cheap, they don't invest in their infrastructure so that they can maximize profits. Meanwhile Louisiana bears the brunt of their abuse: pollution and the destruction of our coast."

In response to the release of the uncensored report, the Brigade held simultaneous press conferences on Thursday in Baton Rouge's Standard Heights community and at the Ritz Carlton in New Orleans.

In Baton Rouge, Standard Heights Community Association Secretary Tonga Nolan said she wishes there was more extensive community engagement from ExxonMobil and other companies operating in the area.

"I feel like they are very neglectful when it comes to the people of this community," Nolan said, noting no ExxonMobil or EPA officials went door-to-door after the June benzene spill. "In reality, they're actually ignoring us."

Rolfes, standing beside Nolan at the latter's home less than a mile from the refinery, said she hopes the company takes EPA warnings of insufficient staff to hire more people from the neighboring communities.

"Now we're realizing their pipe problem is worse than we ever realized," Rolfes said. "They've got a problem, but the good news is that solving it would be an economic boost for this region."

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EPA working to make public aware of radon risk in homes

by JASON WHEELER

Bio | **Email** | Follow: [@jasonwheelerTV](https://twitter.com/jasonwheelerTV)

WFAA

Posted on February 21, 2013 at 10:47 PM

Updated yesterday at 11:27 PM

DALLAS -- When she first settled into her Dallas home six years ago, Kimberly Stokes asked if she should test for radon.

She said she was told she didn't need to worry about it.

That's a starkly different answer than the one you get from the Environmental Protection Agency (EPA), which estimates that radon kills as many as 20,000 Americans each year through lung cancer.

"Never smoked a day in their life, got lung cancer and, unfortunately, died because of that," said George Brozowski, the EPA's regional radon coordinator in Dallas.

The EPA has been trying to educate the public with a radon campaign, with commercials that warn viewers that radon is the number-one cause of lung cancer among non-smokers.

Despite the effort, many are still unaware of the risk.

Radon is a colorless, odorless gas. It forms when naturally-occurring uranium in the dirt and rock below breaks down and percolates upward, sometimes into buildings. Radon is measured in a tiny unit called Picocuries. The EPA discovered years ago that any level higher than four Picocuries per liter was especially a concern.

Why?

"You stood a pretty good chance of getting lung cancer," Brozowski explained. Because of that, he warned, "This is something you need to think about here."

But many Texans probably don't. Brozowski acknowledges his own agency's maps show that compared to the rest of the country, much of Texas is listed as having low potential for high levels of radon. Still, he said high readings have been detected here, and that everyone should test.

It's as simple as putting out a radon-detecting disk for a few days in your house or apartment.

Kimberly Stokes eventually did and, said what she found shocked her. Her level "came back [at] about eight Picocuries per liter."

That's double the maximum recommended limit set by the EPA.

Stokes doesn't know why or how it happened, but does live in an older home. Many older homes don't have vapor barriers that are common in newer construction.

The black, plastic sheath put beneath new foundations can actually block the gas from seeping into a building. But radon can flow into newer or older structures, especially through cracks in the foundation -- which are quite common in the shifting soils of North Texas.

But no matter how radon gets in, you can get it out. Kimberly Stokes paid \$2,500 to

have a radon reduction system installed.

“It’s just some PVC pipe and the fan [which sucks the radon out] is in the attic,” Stokes explained. “From the surface of the concrete, straight up through the roof.”

She said her radon reading has since plummeted from a potentially-dangerous eight Picocuries per liter down to one-half of a Picocurie.

Stokes said that has allowed her to breathe a lot easier.

“Literally,” she chuckled.

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PROGRAMMING



CBS 7 SPECIAL REPORT

**CBS 7 SPECIAL REPORT
(Part II): Surviving an
Active Shooter 2/21/12**

Midland, TX - What if? That's a question officer Chris Paine of the Lubbock Police Department wants everyone to start asking. It's a question he says might save your life.

EPA Looks Into Gardendale Odor Complaints 2/21/13

Felicia Bolton
fbolton@cbs7.com
CBS 7 News Reporter
February 21, 2013



GARDENDALE, TX - The smells coming from oil and gas production has many Gardendale residents speaking out to the Texas Commission on Environmental Quality.

Now the Environmental Protection Agency has stepped in to see what they can do about the complaints.

"You can't step outside without being assaulted by an obnoxious odor that turns your stomach or that odor is inside your home. You can't seem to get ride of it," said President of the Gardendale Accountability Project Dan Boggs.

Boggs and several other Gardendale residents say they've been complaining to the TCEQ for years about odors from drilling, pumping and fracking in their neighborhood.

"The complaints probably measure in the hundreds," said Boggs.

Ray Moseley is just one of many residents that say the pungent smells affect his quality of life. Moseley filed so many complaints that it caught the attention of the EPA.

"The issue is a very strong gas. Somewhere out here, probably in a lot of the wells, there are some emissions that are not being controlled," stated Moseley.

The EPA says they were checking into odor problems across the nation, when the Gardendale area came up multiple times.

Now those fighting for a change say this gives them new hope to breathe in fresh air.

"It makes me feel a lot better than I have in the past. Because I wasn't really sure that I could trust any of the agencies, but I feel like this is a little higher agency," stated Moseley.

The EPA says this is not an official investigation and they plan to compile data on the problem. Then the federal organization will find the proper jurisdiction to handle the situation.

**EPA Looks Into Gardendale Odor
Complaints**


6 comments

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Whining to the EPA simply justifies their unconstitutional power. As long as people keep seeking government as a way to control fascism, the perpetual cycle will inevitably continue. Break the cycle.

[Reply](#) · [4](#) · [Like](#) · [Follow Post](#) · 9 hours ago



Ray Moseley

You know Caleb you might need friends out here in Gardendale you might want to think about who you call out. Why don't you come up with a beter solution we can work with instead of whining about how we get something done.
Ray

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U.S. Gulf Coast oil spillers about to face day in court

7:30am EST

By [Kristen Hays](#) and [Braden Reddall](#)

(Reuters) - Nearly three years after a deepwater well rupture killed 11 men, sank a rig and spewed 4 million barrels of oil into the Gulf of Mexico, BP and the other companies involved are scheduled to face their judge in court.

The trial over the worst U.S. offshore oil spill is set to start Monday in New Orleans before a federal judge and without a jury. Few expect the case, seen lasting several months, will be decided by the judge.

An eleventh-hour settlement this weekend is a possibility, but legal experts expect a resolution, at least with the U.S. Department of Justice, in the coming months. Early testimony is likely to set the tone for any settlement talks, depending on how damaging the evidence is, they said.

"This is a game of corporate chicken," said John Zavitsanos, a Houston civil litigator. "We have tangled with BP often, and they blink."

Joining well owner BP Plc in Judge Carl Barbier's courtroom will be rig owner Transocean Ltd and well cement services provider Halliburton Co.

Lined up against them will be the Justice Department, several Gulf Coast states and other plaintiffs.

BP and Transocean declined to comment on the specifics of the upcoming trial. Halliburton was not immediately available for comment.

BP has a history of settling civil cases before or during trial. Four trials began over the 2005 explosion at its Texas City refinery that killed 15 people. All were settled. Payouts totaled \$3.1 billion. BP has since sold the refinery.

The stakes are higher this time, though. The Macondo well explosion and spill on April 20, 2010 affected five state coastlines, prompted a six-month ban on oil and gas drilling in the Gulf and disrupted the livelihoods of fishermen, hoteliers and others. And once a trial gets under way, a new dynamic can take hold.

"If the first couple of days are good for the plaintiffs or good for the defendants, that could shift. Once the first pitch is thrown, those odds could change," said Anthony Sabino, a business law professor at St. John's University School of Law.

Just ahead of the trial, BP won agreement from the Justice Department to exclude 810,000 barrels from the total spilt barrels estimate, but BP says the estimate is still too high. It also wants "efforts to do the right thing" afterwards taken into account and has earmarked only \$3.5 billion for Clean Water Act payments, compared with its potential maximum liability of \$17.5 billion.

ABP settlement with the Justice Department over such a large liability could lead to another delay of a trial that has already been postponed.

"With the federal government out of it, he (Barbier) might well postpone ... particularly if the states indicated to him that they were continuing to talk," said Ed Sherman of Tulane University Law School in New Orleans.

"REASONABLE TERMS"

BP has committed to pay \$8.5 billion to plaintiffs in a separate settlement, having already paid out \$9 billion in other claims. Last year it also settled 14 criminal charges with a guilty plea and a record \$4 billion in fines and penalties.

The civil claims to be covered next week could surpass these, and the trial's significance to BP was evident at a February 5 news conference in London. When Chief Executive Bob Dudley said the company would vigorously defend itself, he repeatedly looked toward his top in-house lawyer, Rupert Bondy, for moral support.

BP has repeatedly said it will settle on "reasonable terms," but Bondy drew a line in the sand this week, saying the British company now goes to trial "faced with demands that are excessive and not based on reality."



Its spill bill is already impressive: Accounting provisions total \$42 billion - about 30 percent of its stock market value. It has sold assets worth \$38 billion to finance compensation, clean-ups and fines. It has paid, or committed to pay, \$37 billion of this. The actions have sliced \$5 billion a year, or 14 percent, off its cash flow - a basic money-making measure.

And there is more to come. That is why, even on forward measures of earning power, a shrunken BP still lags its peers.

If BP is found "grossly negligent" - a key question for the trial - its fine under the U.S. Clean Water Act could be as high as \$17.5 billion based on a total of 4.1 million barrels spilled and a maximum fine of \$4,300 a barrel.

It could also be much lower, at a maximum \$1,100 per barrel, or \$4.5 billion, if BP's claim that it was "no more than negligent" is proved.

Aside from the Clean Water Act, two other claim groups come under the jurisdiction of Barbier, a federal judge for the Eastern District of Louisiana. Both are harder to quantify.

Economic damage claims totaling \$34 billion have been made by Gulf Coast states including Louisiana and Alabama. BP has said these are excessive, and that its clean-up spending had a positive economic impact.

A third set of claims, for natural resources damage, has not even been quantified yet.

PROVING GROSS NEGLIGENCE

From Monday, phase one of the trial will focus on the level of negligence and on apportioning blame among the defendants.

Phase two will focus on the number of barrels spilled from the blown-out well.

Together, they could drag into next year, and neither phase will consider the size of any fine. But a gross negligence finding could open the way for extra costs in the form of punitive damages.

Lawyers point out that strong evidence of a reckless and willful disregard for employee safety and environmental health would be required to prove gross negligence.

"It is very difficult to prove, and that is something that these defendants are counting on," Sabino said.

Zavitsanos cited the 1970 Ford Pinto Memo as one of the few cases where the evidence was strong enough to prove gross negligence. In this case, Ford Motor Co was shown to have been aware of a design flaw and that a crash could puncture the gasoline tank and cause a fire. It was also shown to have decided to risk death and injury lawsuits rather than fix the design.

Steve Herman, one of the lead lawyers for the plaintiffs, said they contend there is "overwhelming evidence" that BP, Transocean and Halliburton "were all grossly negligent, and we look forward to laying bare that evidence for all to see."

Alabama Attorney General Luther Strange, who will speak for the states in the trial, agreed that the evidence would show BP's conduct reaches the level of gross negligence and said expert testimony would prove "very, very damaging to BP."

Strange said he plans to present BP with declarations that the spill was both predictable and preventable, and that the company fosters a "culture of callousness."

"It's a focus of profits over safety," he said in an interview on Thursday.

The companies have consistently held that whatever mistakes were made, they don't rise to the level of gross negligence.

But on Thursday, Barbier rejected BP's request that the plaintiffs not be allowed to present evidence regarding its suspension from obtaining new federal contracts following the spill, imposed last year by the U.S. Environmental Protection Agency. The plaintiffs said that evidence may be pertinent after the first phase, so Barbier said BP could try again to block it if the issue arises once the case starts.

The case is In re: Oil Spill by the Oil Rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010, No. 10-md-02179, in the U.S. District Court, Eastern District of Louisiana.

(Additional reporting and writing by Andrew Callus; Editing by Patricia Kranz, Kenneth Barry and Diane Craft)

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36 DEN A-2

Air Pollution

Inspector General Says EPA Must Improve Air Emissions Data From Oil, Gas Sector

By Jessica Coomes

The Environmental Protection Agency must improve its air emissions data from the fast-growing oil and natural gas sector, the agency's inspector general said in a report released Feb. 21.

"High levels of growth in the oil and natural gas ... production sector, coupled with harmful pollutants emitted, have underscored the need for EPA to gain a better understanding of emissions and potential risks from the production of oil and gas," the report said. "However, EPA has limited directly-measured air emissions data for air toxics and criteria pollutants for several important oil and gas production processes and sources, including well completions and evaporative ponds."

The inspector general recommended EPA develop a strategy for improving emissions data for the sector. The report said EPA did not anticipate the industry's growth and historically has allocated limited resources in the area.

"In our view, a comprehensive strategy would help EPA better manage the collection of needed data on air emissions from the oil and gas production sector," the report said.

EPA uses emissions data to develop emissions factors, which are values that relate the amount of a pollutant that is released by an activity, the inspector general said, and the limited emissions data have led to emissions factors of "questionable quality."

The report also recommended that EPA prioritize which emissions factors need to be improved, develop additional emissions factors, and ensure National Emissions Inventory data are complete.

The inspector general's report said that between 1992 and 2010, industry has drilled 210,000 new gas wells. It said onshore crude oil and gas production is expected to increase 30 percent and 18 percent, respectively, from 2009 to 2025.

For More Information

The EPA inspector general report on air emissions from the oil and gas sector is available at <http://www.epa.gov/oig/reports/2013/20130220-13-P-0161.pdf>.

Contact us at <http://www.bna.com/contact/index.html> or call 1-800-372-1033

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EPA figures on air emissions from oil, gas production are unreliable, agency's inspector general says



By Randy Lee Loftis / Reporter
rloftis@dallasnews.com
4:43 pm on February 21, 2013 | Permalink

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The Environmental Protection Agency's internal watchdog says in a [report](#) dated Wednesday that information on air emissions from oil and natural gas operations nationwide is so sketchy that it's hard for anyone to say for sure what's going on.

If anything, the report says, the EPA might be underestimating the emissions.

North Texas has a big stake in the quality of the data. The huge growth of natural gas drilling and processing has complicated — some would say stymied — efforts to clean up the smog that dirties the local horizon.

Dallas is also puzzling over natural gas as it considers whether to permit the city's first gas wells and a gas processing plant. Air emissions aren't an official part of the city review, but they're part of the public conversation.

If the underlying numbers are wrong, decisions based on them might be wrong, too. The inspector general said everything from regional programs to national regulations might be questionable.

And then there's the matter of bad air's health effect. From the report:

Limited data from direct measurements, poor quality emission factors, and incomplete quality impacts from oil and gas production activities. With limited data, human health control strategies, and EPA's decisions about regulating industry may be misinformed.

Top EPA officials in Washington told the inspector general that they're working on it.

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This entry was posted in [Air pollution](#), [Energy](#), [Environment](#), [Environmental Protection Agency](#), [Federal government](#), [Gas drilling](#), [Government](#), [Health](#), [Research and studies](#), [Science](#), [Smog](#) by Randy Lee Loftis / Reporter. Bookmark the permalink [<http://thescoopblog.dallasnews.com/2013/02/epa-figures-on-air-emissions-from-oil-gas-production-are-unreliable-agencys-inspector-general-says.html/>].

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February 21, 2013

PNM, New Mexico, EPA Settle Coal-Fired San Juan NOx Technology Dispute

POWERnews

An agreement reached on Friday between PNM, New Mexico's largest electricity provider, the New Mexico Environment Department (NMED), and the U.S. Environmental Protection Agency (EPA) calls for the retirement of two units at the 1,800-MW coal-fired San Juan Generating Station by 2017 to comply with federal visibility rules. The remaining two units will be retrofitted with selective noncatalytic reduction technology by 2016, a nitrogen-oxide reducing technology.

The terms agreed to "would result in a less costly solution that provides broader environmental benefits than the current federal plan," the Albuquerque-based utility said in a statement. "The plan balances cost impacts to customers while resulting in significant environmental benefits."

The nonbinding agreement could resolve a long-standing dispute between the state and the federal agency. At issue is an August 2011-finalized EPA federal implementation plan that would have required PNM to install selective catalytic reduction equipment at all four units at the San Juan plant to meet regional haze standards. But PNM argued—with the backing of the NMED and New Mexico Gov. Susana Martinez (R)—that the federal agency's mandate would cost New Mexico's electric ratepayers at least \$750 million. The EPA's estimate was \$345 million. The parties contended that selective noncatalytic reduction, a technology proposed by the NMED's state implementation plan (SIP), would meet the same federal visibility rules for \$77 million—or about one-tenth of the cost.

Before it becomes final, the agreement reached on Friday will require the NMED to file a revised SIP. That plan would then require formal adoption by the New Mexico Environmental Improvement Board (EIB) and, ultimately, final approval from the EPA. The state Public Regulation Commission also would have to approve retirement of the two units and plans to acquire replacement power. EIB approval is projected for late October 2013, with EPA action projected in late 2014.

The agreement also calls for a natural gas plant to be built at San Juan to partially replace the capacity from the retired coal units. Detailed replacement power strategies would be finalized separately from the haze agreement.

"This agreement is a significant milestone in our efforts to implement an alternative compliance plan that reduces the cost impact to our customers and has broad environmental benefits," said Patricia Vincent-Collawn, PNM chairman, president, and CEO. "The plan positions us for an improved environmental future by reducing not only haze-forming emissions but also carbon emissions, water usage and coal combustion byproducts."

Sources: POWERnews, PNM, EPA

—Sonal Patel, Senior Writer ([@POWERmagazine](#))

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PNNL technology can 'sniff' explosives much like dogs

Waste from leaking single-shell tank at Hanford could be sent to New Mexico

Published: February 22, 2013

By Annette Cary, Tri-City Herald

Radioactive waste from the newly discovered leaking tank at Hanford could be shipped to New Mexico by the Department of Energy, rather than treated at the vitrification plant.

That's one solution for Tank T-111 that may be discussed today when Washington Gov. Jay Inslee meets with Energy Secretary Steven Chu in Washington, D.C.

After touring Hanford on Tuesday, Sen. Ron Wyden, D-Ore., said one possibility DOE mentioned is to send waste from some tanks, including T-111, to the Waste Isolation Pilot Plant, or WIPP, in the Chihuahuan Desert outside Carlsbad, N.M. It is a national repository for "transuranic" waste -- waste contaminated with plutonium.

DOE is considering a range of options to retrieve waste from underground tanks, treat it and package it so it could be designated transuranic waste for WIPP disposal, DOE said in a statement after the Herald requested more information.

In 2003, DOE proposed sending waste from eight Hanford tanks to WIPP instead of processing it at the vitrification plant, saying that would save taxpayers \$500 million.

However, in 2004, New Mexico barred tank waste from Hanford, Idaho and South Carolina nuclear sites unless DOE proves the material never has been "high-level" waste.

"This is about so much more than a fight over labels on drums," said Bill Richardson, then New Mexico's governor, as he directed his staff to address the issue of tank waste in 2003. "It is about promises that were made to the people of New Mexico when WIPP opened, and making sure those promises are kept."

High-level waste is required to be sent to a deep geological repository. Officials originally planned to send the vitrification plant's high-level waste to the Yucca Mountain site in Nevada, but the federal government shut down the Yucca Mountain project in 2010.

The current New Mexico governor and Environmental Department secretary may be open to considering a WIPP permit modification to allow some Hanford tank waste to be sent to their state, said Jim Conca, the director of the Center for Laboratory Sciences on the campus of Columbia Basin College.

Conca follows WIPP issues closely. He is the former director of the New Mexico State University Environmental Monitoring and Research Center, the independent monitoring program for WIPP.

In addition, Wyden has replaced retired Sen. Jeff Bingaman, D.-N.M., as chairman of the Senate Energy and Natural Resources Committee. Wyden may be more likely than Bingaman to consider sending some tank waste to WIPP, Conca said.

The proposal also could be welcomed by those living near WIPP, since it could extend the years WIPP accepts waste by possibly five years, keeping people employed longer, Conca said.

Herald requests for comment from New Mexico state officials went unanswered Wednesday and Thursday.

The Washington State Department of Ecology believes a case can be made for considering waste in some Hanford tanks as "transuranic," making that waste possibly eligible for shipment to New Mexico.

The state would need to know much more about the history of T-111 and what New Mexico and the Environmental Protection Agency have to say before considering its waste as transuranic, said Suzanne Dahl of the Department of Ecology. The level of waste in Tank T-111, which holds 447,000 gallons, is dropping at a rate of up to 300 gallons a year, likely due to leakage.

In 2003, the Department of Energy had been considering mobile plants that would process tank waste on a semi-trailer to remove water from the sludge. The substance that was left would have been packed and shipped to New Mexico.

However, more recently, sending waste from certain tanks to a commercial plant offsite to be solidified before shipment to New Mexico has been considered, Dahl said.

One advantage to sending some of the tank waste to WIPP would be that it would not have to be stored in Hanford's double-shell tanks, freeing up limited space. Single-shell tanks, which are prone to leaks, are being emptied into newer double-shell tanks until the waste can be sent to the vitrification plant. The plant is required to be operating in 2019.

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Estimated cost to finish Hanford cleanup now at \$114.8B

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PNNL technology can 'sniff' explosives much like dogs

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The Pryor Times

February 21, 2013

Pryor Chemical under investigation

Cydney Baron
Staff Reporter

PRYOR, OK — Pryor Chemical in MidAmerica Industrial Park is under investigation by the ODEQ and EPA.

A search warrant was issued, Wednesday by the Oklahoma Department of Environmental Quality.

David Shear, a representative of LSB Industry, the parent company of Pryor Chemical, explained the situation.

“This is being referred to simply as our quarterly report. We have been tracking this particular incident for several quarters now,” said Shear.

Reports of emissions being incorrectly documented in 2011 began the investigation.

“This is a paperwork issue. Records for a particular type of air emission, called NOX reports, were did not correctly reflect the readings,” said Shear.

He went on to explain that the issue has nothing to do with public health or safety.

“Nothing new has happened,” said Shear. “This has simply taken a while for the ODEQ to begin. There is a lot of paperwork involved. This is nothing for people to worry about.”

The ODEQ began their investigation by retrieving documents and Pryor Chemical cooperated fully. Also present was a representative from the Environmental Protection Agency and Mayes County Sheriff’s Deputies.

The sheriff’s office is not able to release a statement because an active investigation is underway, but will provide an update as soon as possible.



Everything New Orleans

DEQ reissues permit for Small Municipal Separate Storm Sewer Systems



By [Quincy Hodges, NOLA.com | The Times-Picayune](#)

on February 21, 2013 at 5:40 PM, updated February 21, 2013 at 6:24 PM

The general permit for Small Municipal Separate Storm Sewer System is being reissued with an effective March 1, the Louisiana Department of Environmental Quality said Thursday. Coverage under this general permit applies to operators in parishes, cities, towns and military bases of storm water drainage systems that typically serve populations between 10,000 and 150,000 persons.

Permit holders are required to apply for coverage under the new permit within 60 days of being notified by DEQ, as coverage under the new permit will not be automatically extended to current permit holders.

DEQ will notify all currently permitted operators of the requirement to reapply, and notifications will be mailed by March 1. The application will consist of a new Notice of Intent (NOI) and/or Storm Water Management Plan (SWMP).

The U.S. Environmental Protection Agency, which requires all states to include reapplication requirements in reissued Municipal Separate Storm Sewer System general permits, mandated the change.

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Choctaw Landfill: Please don't call it a dump

By Jan Gibson THE DAILY NEWS | Posted: Friday, February 22, 2013 12:00 am

Keep Washington Parish Beautiful is a joint venture between the city of Bogalusa and Washington Parish, with its goal to “clean up our streets, get litter and everything off the streets, make our city shine and just keep it clean,” said Landon Tims, director of Recreation and Culture and the self-proclaimed frontman for the organization representing the city of Bogalusa. The city is preparing to be involved with the KWPB project to clean up the city and the parish during the month of March.

Tims said dumpsters will be dropped at four to six locations all over the city so that when people clean up their yards or clean trash off the streets they have a place to put the debris.

“At the end of the month, we’ll move them and bring them to the landfill to have it recycled and disposed of properly,” he said.

In the coming weeks and all during the month of March, Tims plans to recruit as many organizations as possible to take part, including churches, youth groups, Boy Scouts, 4-H clubs and anybody else who wants to get involved, he said.

“We’re going to get together with them (the volunteers) and the YMCA and the city of Bogalusa to go to the schools and teach kids about keeping the Earth clean and protecting our planet,” he said. In addition, they plan to tout the benefits of recycling, the proper uses of trash and how to take care of cities and streets.

Next, Tims introduced the chairman of the parish beautification program, Troy Barber, who also is the solid waste supervisor at Choctaw Landfill, where he has been employed since 1999.

“It just so happens that my job is litter control, illegal dumping, garbage disposal and recycling,” Barber said, noting that his position as chairman of KWPB falls right into the category of everything he does every day.

Barber gave a brief summary of how Choctaw Landfill began and how it’s evolved into a “first class, top-of-the-line, state-of-the-art landfill that is run very professionally, is very clean and up to all the standards of the Department of Environmental Quality and the Environmental Protection Agency.”

He said it costs taxpayers about \$1.3 million per year to operate.

“It is a landfill. Please don’t call it a dump,” he said.

Barber filled Rotary members in on the recycling initiative the landfill has recently begun.

“We started the recycling program back in the fall, and it’s something I’ve been wanting for many

years,” he said, adding his job is to start with fifth graders and educate them on the many benefits of recycling trash.

“I go to fifth-grade classes in every school in Washington Parish every year, trying to educate them on what to do with their garbage and what actually happens to it. The national average on trash produced by residents every day is 4.5 pounds. Since there are approximately 50,000 citizens in the parish, there are about 225,000 pounds, about 112 tons, of garbage produced in Washington Parish every day, and that does not include the garbage produced by industry or businesses, he said.

Segueing from residents’ garbage, which Barber weighs and which amounts to about 70 tons a day, he asked the question, where is the other 42 tons of garbage coming from? The answer, to him, is clear: “About 20 or 30 (tons) of it is up and down the roads and up and down the highways. I see it every day. We have several cleanup crews in the parish who come through and clean this stuff up and the very next day it’ll look like it did the day before they picked it up.”

His solution? He told the group about a program in north Louisiana where an ordinance was passed so that anyone caught littering or dumping illegally would have to pay to have his or her picture put in the newspaper, pay a fine and for a specified period, weeks or months, be responsible for cleaning that stretch of road that they littered.

“I guarantee you if this city or this parish would make an ordinance like that and you let a few names and pictures show up in the paper for littering and illegal dumping, that will make a difference.

“If you’ve got a governing body that will make the laws tough enough, and you’ve got enforcement and you’ve got someone who’s going to prosecute them... you’ve got to have all those things in place in order for it to work,” he said.

The final item on Barber’s agenda was a project he called the Litter Letter Project. It began when a resident, a teacher at Loyola University and a graphic designer, came to the KWPB organization with an idea. She had created letters of the alphabet between 18 and 24 inches tall out of chicken wire and PVC pipe, which served to hold the trash she was picking up in front of her house on a daily basis. With the letters she would spell words, such as CARE and PRIDE. Barber took the idea and made it bigger.

“We’re going to construct letters about 8 feet tall, and they’re going to be big enough to stuff with the litter that’s picked up in this parish,” said Barber. The words spelled out by the letters, in addition to CARE and PRIDE, will be RESPECT.

“We’re hoping that this Litter Letter Project will have people asking questions and make people aware that there are people that take pride in this community. There are people that take pride in our parish,” he said intensely, “and we want, not just the kids growing up, but we want the adults to start taking some pride. We want to take pride in our citizens and we want to take pride in our roadways.”

Barber, a passionate spokesperson for Keep Washington Parish Beautiful and the Choctaw Landfill, closed by letting everyone know just how good the local landfill is. Each year the DEQ recognizes the landfill that operates with the fewest number of compliance orders.

“Our landfill has been there since 1987,” he said. “We have never had one compliance order. So guess who won those awards every year. We did.”

The DEQ dispensed with that particular award after nine years, since the winner in all that time was the Choctaw Landfill.

For more information about the newly implemented recycling program, call 848-2920.